ANDOVER CONSERVATION COMMISSION MEETING MINUTES AUGUST 20, 2013

Town of Andover 36 Bartlet Street 3rd Floor Conference Room 7:45pm

Conservation Members in Attendance:

Chairman Donald Cooper, Commissioner Floyd Greenwood, Commissioner Kevin Porter, Commissioner Phil Sutherland and Commissioner Jon Honea. Staff members present were Robert Douglas, Director of Conservation and Linda Cleary, Conservation Agent.

SCHEDULED ITEMS:

7 Orchard Crossing

Staff Recommendation: Approve as Neg.3 with Conditions.

Public Meeting on the Request for Determination of Applicability filed by John E. Magee to determine if the proposed abandonment of an existing septic system and tie into Town sewer at 7 Orchard Crossing is subject to the Massachusetts Wetlands Protection Act.

Agent Cleary presented this to the Commission. The filing is under the WPA only with trenching to be done through the existing driveway. Sediment controls are to be used and trenching and backfilling will be done the same day.

Chairman Cooper asked for a Motion. Commissioner Porter made a Motion to Approve as Neg. 3; it was seconded by Commissioner Honea and unanimously approved.

100 Red Spring Road

Staff Recommendation: Approve as Pos.2b, Neg.3 and Neg.6.

Public Meeting on the Request for Determination of Applicability filed by David and Nina Oskar to determine if the proposed construction of a replacement septic system at 100 Red Spring Road is subject to the Massachusetts Wetlands Protection Act.

Agent Cleary presented this to the Commission. The filing is under the WPA only and no waivers are needed. Staff is unable to rule on the wetland line as all of the flagging could not be located due to the density of vegetation. Flagging was located closest to the proposed work.

Any other work other than the replacement of the septic system will require confirmation of all wetland flagging.

Chairman Cooper asked for a Motion. Commissioner Honea made a Motion to Approve as Pos.2b, Neg.3 and Neg.6, it was seconded by Commissioner Porter and unanimously approved.

13 Samos Lane

Present in Interest: Chris Sciacca

Staff Recommendation: Approve as Pos.2b, Neg.3 and Neg.6.

Public Meeting on the Request for Determination of Applicability filed by Chris Sciacca to determine if the proposed abandonment of an existing septic system and construction of a replacement septic system at 13 Samos Lane is subject to the Massachusetts Wetlands Protection Act.

Agent Cleary presented this to the Commission. The filing is under the WPA only and is for the upgrade of the septic system only. There is a large amount of junk in the BVW. Staff is not ruling on the wetland flagging because there was too much debris proximate to the flagging to access some of the flags and the entire flagging was not depicted on the approved plan. All debris and junk will be removed from the BVW prior to commencement of work. Any other work to be performed will require an additional filing. Also, the Board of Health has issued an upgrade for the distance to groundwater and will provide a copy for our file. Chris Sciacca confirmed with the Commission that this is a renovation project, not a tear down and rebuild.

Chairman Cooper asked for a Motion. Commissioner Honea made a Motion to Approve as Pos.2b, Neg.3 and Neg.6, it was seconded by Commissioner Greenwood and unanimously approved.

Dascomb Road

Present in Interest: Mike Myers and Tom Currier

Staff Recommendation: Close Public Hearing

Public Hearing on a Notice of Intent filed by the Tewksbury Department of Public Works under the Massachusetts Wetlands Protection Act and/or the Andover Wetlands Protection By-Law for proposed minor roadway widening, re-paving and installation of a stormwater management system at **Dascomb Road.**

Mr. Douglas presented this to the Commission. This is a road improvement project funded by Mass DOT. This will improve the safety of the roadway by widening the roadway and treating

any runoff. DEP is still reviewing the project. The Application would have to file an Amendment to the Order of Conditions if DEP has comments that require it.

Mike Myers presented this project to the Commission. There are 2 resource areas within the project area and no work will take place within the resource areas. There will be no filling and riprap will be used to stabilize the slope. There will be some work within the 100 foot buffer, however erosion control will be used. This will result in a slight increase in peak flow runoff. The mitigation offered will be the installation of 2 catch basins on East Street and 2 on Shawsheen Street. Tewksbury will maintain the right of way.

Commissioner Honea asked if the runoff was currently being treated. It is not, which is an improvement as a result of the project.

Commissioner Porter asked for more information regarding the increased runoff. Is there enough capacity to handle beyond a 100 year storm event? An emergency spillway will run into the wetland in case of an extreme rain event.

Chairman Cooper asked for a Motion. Commissioner Greenwood made a Motion to close the public hearing and issue the Order of Conditions on September 3, 2013, it was seconded by Commissioner Honea and unanimously approved.

15 Geneva Road

Present in Interest: Beth Arnold and Corey Schutzman

Staff Recommendation: Close Public Hearing and Issue Order of Conditions at next meeting.

Continued Public Hearing on a Notice of Intent filed by Beth Arnold under the Massachusetts Wetlands Protection Act and/or the Andover Wetlands Protection By-Law, for the proposed removal of existing flagstone patio and restoration of the area to naturalized conditions, and restoration of the peninsula shoreline at **15 Geneva Road.**

Mr. Douglas presented this to the Commission. This was continued for a site visit and to speak with DPW, Water Treatment Plant and the Health Department regarding the use of chemicals on the lawn and any future digging on the property.

Commissioner Greenwood inquired as to why the shoreline would need stabilization since it is currently rock. The rocks have slipped down due to erosion. The Applicant wants something more sustainable through the freezing and thawing process. There is no recapturing of eroded land, only restabilizing what is currently there.

Commissioner Greenwood asked for confirmation of the lawn line. The patio area will be returned to lawn area with native plantings around it. Tall grasses will be used around the sides of the peninsula. There will be no use of herbicides/pesticides. Chairman Cooper stated there will be no use of herbicide, pesticide or fertilizer on the lawn area.

Chairman Cooper asked for a Motion. Commissioner Greenwood made a Motion to close the public hearing and issue the Order of Conditions at the September 3, 2013 meeting, it was seconded by Commissioner Honea and unanimously approved.

ACTION ITEMS:

6 Robinswood Way

Staff Recommendation: Issue Order of Conditions.

Issuance of an Order of Conditions. Applicant did not meet performance standards.

Commissioner Greenwood made a Motion to Approve the Order of Conditions as drafted; it was seconded by Commissioner Honea and unanimously approved.

259 North Main Street

Staff Recommendation: Ratify.

Ratify Emergency Certification per order of the Board of Health for failing sewer line.

Commissioner Honea made a Motion to Ratify the Emergency Certification; it was seconded by Commissioner Sutherland and unanimously approved.

CONSENT AGENDA:

3 Gregory Circle

Issuance of a Certificate of Compliance.

Commissioner Porter made a Motion to Approve; it was seconded by Commissioner Greenwood and unanimously approved.

Minutes

Approval of Minutes from August 6, 2013. Commissioner Porter abstained.

Commissioner Greenwood made a Motion to Approve; it was seconded by Commissioner Sutherland and unanimously approved.

LATE/DISCUSSION ITEMS THAT MAY REQUIRE A VOTE:

311 South Main Street

Request for permanent cessation of monthly reports.

Commissioner Porter made a Motion to Approve the permanent cessation of monthly reports; it was seconded by Commissioner Sutherland and unanimously approved.

307R & 311 Lowell Street

(Rolling Green Entranceway)

Request for permanent cessation of monthly reports.

Commissioner Honea made a Motion to Approve the permanent cessation of monthly reports; it was seconded by Commissioner Greenwood and unanimously approved.

Pike School Nature Trail

Present in Interest: Tina Morris

Trail clearing and construction of bridges at Pike School Nature Trail. The trail will be cut by a brush cutter with simple bridges set over wet areas with no digging involved. Bob DeCelle will assist with the bridges and will walk the property prior to construction. The neighbors will have access to the trail.

Commissioner Greenwood made a Motion to Approve; it was seconded by Commissioner Honea and unanimously approved.

Agricultural Use of Conservation Land

Informal discussion of hay fields, chestnut orchards and a vineyard in Lexington grown on conservation land.

The next meeting will be held September 3, 2013 at 7:45pm.

The meeting was adjourned at 8:50pm by Motion of Commissioner Honea and seconded by Commissioner Porter and unanimously approved.

Respectfully submitted by,

Lynn Viselli, Recording Secretary